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7 *Attorneys for Defendant Wells Fargo Home Mortgage*

8 IN THE UNITED STATES DISTRICT COURT  
 9 DISTRICT OF NEVADA  
 10

11 JOHN M. LIBKE,

12 Plaintiff,

13 vs.

14 WELLS FARGO HOME MORTGAGE,

15 Defendant.

CASE NO. 3:10-cv-00059-RCJ-VPC

**ORDER GRANTING PLAINTIFF'S  
 MOTION FOR PRELIMINARY  
 INJUNCTION**

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 17 On March 25, 2010, at 10:00 a.m., this Court heard Plaintiff John M. Libke's Motion for  
 18 Preliminary Injunction (Document No. 8) ("Motion") and Defendant Wells Fargo Home  
 19 Mortgage's Opposition to Plaintiff's Motion (Document No. 14) ("Opposition"). Andrew D.  
 20 Sedlock, Esq. appeared on behalf of Defendant Wells Fargo Home Mortgage ("Wells Fargo")  
 21 and John M. Libke appeared on his own behalf. Having considered Plaintiff's Motion and  
 22 Defendant's Opposition, and for good cause appearing, this Court hereby enters the following  
 23 Order granting Plaintiff's Motion.

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**ORDER**

**IT IS ORDERED THAT** Plaintiffs' Motion for Preliminary Injunction is **GRANTED**;

**IT FURTHER ORDERED** that an injunction shall remain in place for ninety (90) days, beginning on March 25, 2010, and shall enjoin Wells Fargo, its attorneys, officers, employees, and agents, and those persons in active concert or participation with any of them or each of them, from initiating or advancing any foreclosure sale, taking possession of, or in any other manner, interfering with the peaceful enjoyment and possession of Plaintiff's property located at 1720 Hunter Creek Road, Reno, Nevada 89519, APN: 214-193-06 (the "Property"), during the pendency of this injunction;

**IT IS FURTHER ORDERED** that the parties are required to attend a mediation within sixty (60) days of the entry of this Order, conducted in accordance with the foreclosure mediation program established by Nevada Assembly Bill 149, or in accordance with an alternative program or plan as agreed upon by the parties;

**IT IS FURTHER ORDERED** that Plaintiff shall be required to make monthly payments during the pendency of this injunction in the amount of One Thousand Six Hundred Dollars (\$1,600.00), beginning on April 1, 2010. Plaintiff shall submit these payments to Wells Fargo's counsel, Cynthia L. Alexander, Esq., at the offices of the law firm of Snell & Wilmer L.L.P., 3883 Howard Hughes Parkway, Suite 1100, Las Vegas, Nevada 89169. Plaintiff's failure to submit payments by the first day of each month shall constitute a violation of this Order and shall vacate the injunction;

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1           **IT IS FURTHER ORDERED** that at the expiration of this injunction, Wells Fargo shall  
 2 be entitled to exercise all rights afforded to it pursuant to any deed of trust or other instrument  
 3 recorded on the Property, subject to any other agreement reached between the parties or further  
 4 orders from this Court.

5           DATED: ~~March~~ <sup>JUNE</sup> 28, 2010.

6           \_\_\_\_\_  
 7 DISTRICT COURT JUDGE  
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9 Submitted by:

10 SNELL & WILMER L.L.P.

11 /s/ Cynthia L. Alexander

12 Cynthia L. Alexander

13 Nevada Bar No. 6718

14 Andrew D. Sedlock

15 Nevada Bar No. 9183

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16 *Attorneys for Defendant Wells Fargo Home Mortgage*  
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